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COUNSEL FOR THE DEBTOR

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

PATRICIA GARDOCKI-SCHULTZ

Debtor.

Chapter 13

Case No. 14-23200

Hon. Donald H. Steckroth

Hearing Date: July , 2014 at __:00

Oral Argument Requested

I, Christopher J. Balala, do hereby certify the following:

1. I am counsel for the Debtor in the captioned Chapter 13 proceeding and as such I am fully familiar with the facts surrounding this matter and submit this certification in support of the an order holding Barnabas Health Home Care ("Barnabas") in contempt and sanctioning the Service for its violation of the provisions of the automatic stay 11 U.S.C. §362(a).
2. Barnabas is a pre-petition creditor.
3. On June 27, 2014 the Debtor instituted the current bankruptcy petition.
4. On July 25, 2014 the Debtor's wages from begin date July 6, 2014 through end date July 19, 2014 were garnished in the amount of \$551.56. I have annexed hereto as **Exhibit "A"** the Debtor's redacted paystub for this period.
5. On July 29, 2014 I sent a faxed letter to Barnabas advising them of the bankruptcy, to stop their collections efforts, and to return the money that was garnished. In addition, I advised that failure to comply would result in suit for violation of the automatic stay and sanctions and attorneys fees and costs would be sought. I have annexed hereto as **Exhibit "B"** a copy of the letter that was faxed to Barnabas.

6. On July 29, 2014 I received a call from Ellen with Human Resources at Barnabas regarding the fax I sent earlier in the day. I advised Ellen that her employer cannot garnish wages of an active Chapter 13 debtor and asked that she return the funds. Ellen advised that she would “look into it” and get back to me.

7. I did not receive a call back from Ellen or anyone else at Barnabas.

8. On August 5, 2014 I sent another faxed letter to Barnabas advising Ellen that I had not heard from her, requesting return of the garnished funds, and advising if the Debtor’s next paystub was garnished again I would institute suit and seek sanctions and attorney’s fees for violating the automatic stay. I have annexed hereto as **Exhibit “C”** a copy of the letter that was faxed to Barnabas.

9. On August 8, 2014 the Debtor’s wages from begin date July 20, 2014 through end date August 2, 2014 were garnished in the amount of \$551.56. I have annexed hereto as **Exhibit “D”** the Debtor’s redacted paystub for this period.

10. The Debtor is scheduled to receive her next paystub on August 22, 2014.

I hereby certify that the foregoing statements made by us are true. I understand that if any of the aforementioned statements are willfully false, I am subject to punishment.

Dated: August 11, 2014

/s/ Christopher J. Balala
Christopher J. Balala, Esq.